

**Introduced by Senator Wright**

January 26, 2010

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An act to add Section 200.5 to the Labor Code, relating to employment.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 903, as introduced, Wright. Penalty collections: limitations.

Existing law provides that an action by the Division of Labor Standards Enforcement within the Department of Industrial Relations for collection of a statutory penalty or fee must be commenced within one year after the penalty or fee became final.

This bill would extend the period within which the division may commence a collection action from one year to 3 years.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 200.5 is added to the Labor Code, to
- 2 read:
- 3 200.5. (a) Notwithstanding any provision of this code or
- 4 Section 340 of the Code of Civil Procedure, to collect a civil
- 5 penalty, fee, or penalty fee under this division, the Division of
- 6 Labor Standards Enforcement shall commence an action within
- 7 three years from the date the penalty of fee became final.
- 8 (b) This section applies only to penalty assessments or fees for
- 9 which the three-year period prescribed in this section for the

- 1 collection of a civil penalty, fee, or penalty fee has not expired as
- 2 of the effective date of the act adding this section.

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